

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

IN RE:

ROBERTSON WILLIAM PIMENTEL

CASE NO. 23-35333-CGM

Chapter 13

Hearing Date: February 27, 2024

Hearing Time: 9:00 a.m.

DEBTOR.

-----X

**NOTICE OF MOTION TO WITHDRAW AS
COUNSEL FOR DEBTOR**

PLEASE TAKE NOTICE, that upon the application of **TARAN M. PROVOST**, the undersigned will move the Court located at 355 Main Street, Poughkeepsie, N.Y. 12601 on the 27th day of February, 2024 at 9:00 a.m., or as soon thereafter as counsel may be heard, for an Order permitting the **LAW OFFICE OF TARAN M. PROVOST PLLC**, and **TARAN M. PROVOST**, to withdraw as counsel for the Debtor.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, shall be served upon and received by counsel at the address indicated below and filed with the Court together with proof of such service no later than 3 days prior to the return date hereof.

Dated: Mahopac, N.Y.
February 2, 2024

LAW OFFICE OF TARAN M. PROVOST PLLC

by: /s/ Taran M. Provost, Esq.
Taran M. Provost, Esq.
227 Willow Drive
Mahopac, N.Y. 10541
(646) 942-7827

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

IN RE:

ROBERTSON WILLIAM PIMENTEL

CASE NO. 23-35333-CGM
Chapter 13

Hearing Date: February 27, 2024
Hearing Time: 9:00 a.m.

DEBTOR.

-----X

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR DEBTOR

TO: HON. CECILIA G. MORRIS, UNITED STATES BANKRUPTCY JUDGE:

THE LAW OFFICE OF TARAN M. PROVOST, PLLC, by TARAN M. PROVOST (the “Movant”), moves this Court for an Order pursuant to Local Rule 2090 1(e) permitting him to withdraw as counsel for the Debtor **ROBERTSON WILLIAM PIMENTEL**. The Movant, under penalty of perjury, states as follows:

1. This case was filed on or about April 28, 2023 under the above-referenced case number. The 341 Meeting of Creditors was held and concluded on or about June 5, 2023. An amended plan was filed on or about September 6, 2023. There have been several confirmation hearings to date in this matter, all of which have been adjourned. The Debtor’s Chapter 13 plan is awaiting confirmation. There are also two objections to the plan, both filed by the secured creditor, Rocket Mortgage, on or about May 19, 2023 and May 24, 2023 regarding a small amount of arrears which allegedly existed at the time the petition was filed.
2. The undersigned has diligently and timely addressed all requirements to date to bring the Debtor’s plan to confirmation. The undersigned has worked with the Chapter 13 trustee to clarify items required for confirmation, and has attempted to communicate with the Debtor

and obtain required information and proof from him. Despite the efforts of counsel, there has been a severe, irreconcilable and permanent breakdown in the attorney-client relationship, specifically in the ability of the parties to communicate effectively and productively. Accordingly, your movant reluctantly brings this motion, as he believes he is required to do under N.Y. Rules of Professional Conduct, Rule 1.16(c), which permits withdrawal when representation becomes unreasonably difficult.

WHEREFORE, it is respectfully requested that the Court enter an Order permitting the Law Office of Taran M. Provost, PLLC and Taran M. Provost, Esq. to withdraw as counsel for the Debtor, and for such other and further relief as the Court may deem just and proper.

Dated: Poughkeepsie, N.Y.
February 2, 2024

LAW OFFICE OF TARAN M. PROVOST PLLC

by: /s/ Taran M. Provost, Esq.
Taran M. Provost, Esq.
227 Willow Drive
Mahopac, N.Y. 10541
(646) 942-7827